

7-29-05

1642

B (CR)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/251,133

Applicant: Shah, G. V.

Filed: February 16, 1999

Art Unit: 1642
Examiner: Christopher Yaen

Title: NEUROENDOCRINE MARKER OF PROSTATE CANCER
AND METHOD FOR PRODUCING SAME

Docket No.: 01819232

Customer No.: 26565

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR WITHDRAWAL AS ATTORNEY (37 C.F.R. § 10.40(c))

REQUEST FOR PERMISSION TO WITHDRAW

1. I, an attorney signing below, respectfully request permission to withdraw from all further responsibility in this case, in accordance with 37 C.F.R. § 1.36.

(Check the following item, if appropriate)

Because the amendment referred to in item 4A(iii) below is a continuing application signed only by an attorney named below under 37 C.F.R. § 1.60(b) or 37 C.F.R. § 1.62(c), this withdrawal request is also for such continuing application.

LAST KNOWN ADDRESS OF CLIENT

2. The last known mailing address of the inventor(s) or assignee(s) of the entire interest is:

Shaji George, PhD.
Bionova Pharmaceuticals, Inc.
719 Carmans Road
Massapequa Park, NY 11762

Richard L. Huston, Ph.D.
Kansas University Medical Center
3901 Rainbow Boulevard
Mail Stop 1039
Kansas City, KS 66160

BASIS FOR WITHDRAWAL REQUEST

3. The basis for the request for withdrawal is 37 C.F.R. 10.40(c)(1)(vi).
Explanation (including brief description of exhibits, if any)

The client has failed to pay one or more bills rendered by the practitioner for an unreasonable period of time or has failed to honor an agreement to pay a retainer in advance of the performance of legal services.

ALLOWANCE OF TIME FOR CLIENT TO ACT

4. Status of this Application

A. Response due (*if any*)

(i) There is no outstanding term for response.
(ii) There is an outstanding term for response that is set to expire on
The above term is extendible under 37 C.F.R. § 1.136(a), until
and the fees for such extension are are not being submitted
herewith.
(iii) Also, submitted herewith, is a response to the outstanding Official Action.

B. Time Left for Response

Therefore, the amount of time for response, including extension under
37 C.F.R. § 1.136(a) is:

at least _____
 cannot be calculated because this case is/will now be awaiting action
by the PTO.

NOTIFICATION OF CLIENT

5. In accordance with 37 C.F.R. § 10.40(a), a copy of this request, including any attachments, is being sent to the client. A copy of the letter to the client is attached.

NUMBER OF COPIES OF REQUEST

6. This request is enclosed in triplicate.

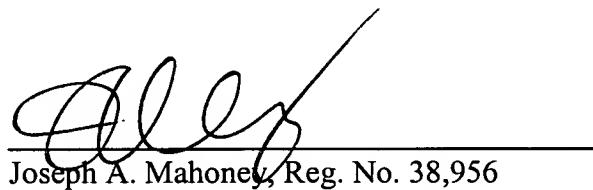
*(To expedite the handling of request for permission to withdraw as attorney under
37 C.F.R. § 1.36, submit the request in triplicate.)*

7. Related Applications for Which Withdrawal is Requested

Withdrawal also is (has been) requested in the following related application(s) of the
 inventor assignee

SIGNATURE(S) OF WITHDRAWING ATTORNEY(S)

8. Signature(s) of the attorney(s) withdrawing (or signature of an authorized attorney on
behalf of an attorney withdrawing)



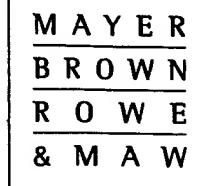
Joseph A. Mahoney, Reg. No. 38,956

Date: July 28, 2005

MAYER, BROWN, ROWE & MAW LLP
P.O. Box 2828
Chicago, IL 60690-2828
Telephone: (312) 701-8979
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July 28, 2005



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**Re: Patent Work for Bionova Pharmaceuticals, Inc.
and University of Kansas Medical Center
Research Institute**

Dear Shaji and Dr. Huston:

Due to the long-term delay in payment of your outstanding balance, we must withdraw from your representation on the following matters, effective immediately.

<u>MBR&M Matter No.</u>	<u>Country</u>	<u>Application Number</u>
05008815	Australia	2002344775
05008830	Europe	2744407.4
01819330	PCT	PCT/US0042737
02995407	PCT	PCT/US0219237
01819232	US	09/251133

Accordingly, we will take no further action on these cases, which could result in the abandonment of patent rights.

Please call me with any questions.

Sincerely,

Joseph A. Mahoney

JAM/rbc

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Brussels Charlotte Chicago Cologne Frankfurt Houston London Los Angeles Manchester New York Palo Alto Paris Washington, D.C.
Independent Mexico City Correspondent: Jauregui, Navarrete, Nader y Rojas, S.C.

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CERTIFICATE OF MAILING BY
"EXPRESS MAIL"

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Date of Deposit: July 28, 2005

I hereby certify that this paper or fee is being
deposited with the United States Postal Service
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P.O. BOX 1450, ALEXANDRIA, VA 22313-1450

typed or printed name of person mailing paper or
fee: Tim Hubalik

Signature

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Dear Sir:

Enclosed herewith are the following for the above-captioned application:

1. Request for Withdrawal as Attorney in triplicate;
2. Copy of letter to client regarding notification of withdrawal; and
3. Return receipt postcard.

The Commissioner is hereby authorized to charge any additional filing fees required under Rule 1.17 concerning this transaction, or to credit any overpayment to Deposit Account 13-0019.

Respectfully submitted,



Joseph A. Mahoney
Reg. No. 38,956

Date: July 28, 2005

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